

## DECLARATION

As the below-named inventors, we declare that:

Our residences, post office addresses, and citizenships are as stated below under our names.

We believe we are the original, first, and joint inventors of the invention entitled "METHOD AND SYSTEM FOR CONTROLLING PRESENTATION OF INFORMATION TO A USER BASED ON THE USER'S CONDITION", which is described and claimed in the specification and claims of Patent Application No. 09/216,193, which we filed in the United States Patent and Trademark Office on December 18, 1998 and for which a patent is sought.

We have reviewed and understand the contents of the above-entitled specification, including the claims, as amended by any amendment specifically referred to herein (if any).

We acknowledge our duty to disclose information of which we are aware which is material to the patentability and examination of this application in accordance with 37 C.F.R. § 1.56(a).

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing from this patent application.

  
\_\_\_\_\_  
Dan Newell

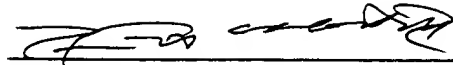
Date

4/10/99

Residence : City of Seattle, County of King  
State of Washington

Citizenship : United States of America

P.O. Address : 2125 1<sup>st</sup> Avenue, #2101  
Seattle, WA 98121



Kenneth H. Abbott, III

Date 4/21/99

Residence : City of Kirkland, County of King  
State of Washington

Citizenship : United States of America

P.O. Address : 4216 107<sup>th</sup> Pl. NE  
Kirkland, WA 98033

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4-10-99 10:00 AM

## PATENT

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

12/13/99   
Date James A. D. White

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Dan Newell and Kenneth H. Abbott, III  
Application No. : 09/216,193  
Filed : December 18, 1998  
For : METHOD AND SYSTEM FOR CONTROLLING  
PRESENTATION OF INFORMATION TO A USER  
BASED ON THE USER'S CONDITION

Art Unit : 2756  
Docket No. : 294438001US  
Date : November 24, 1999

Assistant Commissioner for Patents  
Washington, DC 20231

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73  
AND REVOCATION AND SUBSTITUTE POWER OF ATTORNEY

Sir:

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment which has been filed with and recorded by the United States Patent Office at Reel 9936, Frame 0235, a copy of which is enclosed, hereby elects under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

Pursuant to 37 C.F.R. § 3.73, the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the

Assignment to Tangis Corporation, and it is certified that, to the best of my knowledge and belief, title is in Tangis Corporation.

I hereby revoke all power of attorney heretofore given and appoint JERRY A. RIEDINGER, Registration No. 30,582; MAURICE J. PIRIO, Registration No. 33,273; JOHN C. STEWART, Registration No. 40,188; MICHAEL D. BROADDUS, Registration No. 41,637; BRIAN P. MCQUILLEN, Registration No. 41,989; TARANEH MAGHAME, Registration No. 43,768; CATHERINE HONG TRAN, Registration No. 43,960; ROBERT G. WOOLSTON, Registration No. 37,263; PAUL T. PARKER, Registration No. 38,264; JOHN M. WECHKIN, Registration No. 42,216; BRIAN G. BODINE, Registration No. 40,520; CHRISTOPHER DALEY-WATSON, Registration No. 34,807; STEVEN D. LAWRENZ, Registration No. 37,376; and JAMES A. D. WHITE, Registration No. 43,985, as the principal attorneys with full power of substitution, association, and revocation to prosecute said application, to transact all business in the Patent and Trademark Office connected therewith, and to receive the letters patent therefor. Please direct all future correspondence to:

Patent-SEA  
Perkins Coie LLP  
1201 Third Avenue, Suite 4800  
Seattle, Washington 98101-3099  
Attn: James A. D. White

and direct all telephone calls to (206) 583-8888 and telecopies to (206) 583-8500.

Date

Nov 29 '99

Tangis Corporation

Dan Newell  
President

## ASSIGNMENT

WHEREAS, we, Dan Newell and Kenneth H. Abbott, III (hereinafter referred to as ASSIGNORS), having post office addresses of 2125 1<sup>st</sup> Avenue, #2101, Seattle, WA 98121 and 4216 107<sup>th</sup> Pl. NE, Kirkland, WA 98033, respectively, are the joint inventors of an invention entitled "METHOD AND SYSTEM FOR CONTROLLING PRESENTATION OF INFORMATION TO A USER BASED ON THE USER'S CONDITION," as described and claimed in the specification for which an application for United States letters patent was filed on December 18, 1998 and assigned Application No. 09/216,193.

WHEREAS, Tangis Corporation (hereinafter referred to as ASSIGNEE), a corporation of the State of Washington having a place of business at 2125 First Avenue, #2101, Seattle, WA, 98121 is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

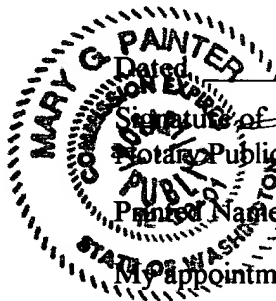
Applicants' counsel is authorized to insert the official filing date and application number information when it becomes available.

DN  
Date Apr 24 '99  
State of Washington )  
County of King )

[Signature]  
Dan Newell

SS.

I certify that I know or have satisfactory evidence that Dan Newell is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



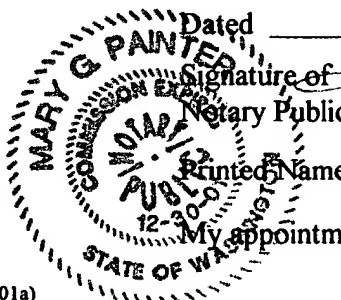
Dated April 21, 1999  
Signature of [Signature]  
Printed Name Mary G. Painter  
My appointment expires 12/30/01

4/21/99  
Date  
State of WASHINGTON )  
County of KING )

[Signature]  
Kenneth H. Abbott, III

SS.

I certify that I know or have satisfactory evidence that Kenneth H. Abbott, III is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



Dated April 21, 1999  
Signature of [Signature]  
Printed Name Mary G. Painter  
My appointment expires 12/30/01